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Examiner J. Kavanaugh	Byron S. Kuzara	CENTRAL FAX CENTER
<b>COMPANY:</b>	<b>DATE:</b>	<b>MAY 11 2005</b>
U.S.P.T.O.	May 11, 2005	
<b>FAX NUMBER:</b>	<b>TOTAL NO. OF PAGES:</b>	
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<b>Re:</b>	<b>OUR REFERENCE NO.:</b>	
U.S. Serial No. 10/681,321	005127.00234	
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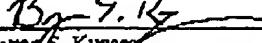
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Respectfully submitted,

  
By: Byron S. Kuzara  
Registration Number 51,255  
Banner & Witcoff, Ltd.

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re Application of* ) Art Unit: 3728  
Tobie D. HATFIELD, et al. ) Examiner: Kavanaugh, J.T.  
Serial Number 10/681,321 ) Attorney Reference: 005127.00234  
Filed: October 9, 2003 )  
For: ARTICLE OF FOOTWEAR WITH A )  
STRETCHABLE UPPER AND AN )  
ARTICULATED SOLE STRUCTURE )

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Alexandria, VA 22313

Sir:

In response to the Restriction Requirement mailed April 29, 2005, the Applicants elect claims 1-76 and 82-101, which are drawn to footwear. Claims 77-81 are, therefore, withdrawn from consideration. This election is made without traverse.

This Response is being timely filed by facsimile transmission on May 11, 2005. Should fees or an extension of time be deemed necessary for consideration of this Response, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for the payment of the requisite fee. If anything further is desirable to place the

application in even better form for allowance, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Examination on the merits is respectfully awaited.

Respectfully submitted,

By:   
Byron S. Kuzara

Registration No. 51,255

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Dated: May 11, 2005